

HOUSE No. 1556

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to increase penalties for leaving the scene of an accident in the Commonwealth.

PETITION OF:

NAME:

Christi Berry

DISTRICT/ADDRESS:

88 Clark Street
Worcester, MA 01606

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO INCREASE PENALTIES FOR LEAVING THE SCENE OF AN ACCIDENT IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subdivision (2) of section 24 of chapter 90 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out paragraph (a1/ ½) (1) and inserting in place thereof the following:-

(a ½) (1) Whoever operates a motor vehicle upon any way or in any in place to which the public has right to access, or upon any way or in any place to which members of the public shall have access as invitees or licensees, and without stopping and making known his name, residence and the registration number of his motor vehicle, goes away after knowingly colliding with or otherwise causing injury to any person not resulting in the death of any person, shall be punished by imprisonment for not less than 4 years not more than 7 years and by a fine of not less than \$1,000 nor more than \$3,000. The sentence imposed shall not be reduced to less than 2 ½ years, nor shall any person convicted hereunder be eligible for probation, parole or furlough or receive any deduction from such sentence until at least 2 years has been served.

SECTION 2. Said section 24 of chapter 90, as so appearing, is hereby further amended in lines 792-795 by striking out the words “or by imprisonment in a jail or house of correction for not less than one year nor more than two and one-half years and by a fine of not less than one thousand dollars nor more than five thousand dollars.”

SECTION 3. Said section 24 of said chapter 90, as so appearing, is hereby further amended by inserting after the word “convicted”, in line 815, the following:-“for not less than 15 years.”

SECTION 4. Said section 24 of said chapter 90 as so appearing, is hereby amended by striking out the words:-

“provided, however, that no new license or right to operate shall be issued by the registrar to: (i) any person convicted of a violation of subparagraph (1) of paragraph (a ½) until one year after the date of revocation following his conviction if for a first offense, or until two years after the date of revocation following any subsequent conviction; (ii) any person convicted of a violation of subparagraph (2) of

paragraph (a ½) until three years after the date of revocation following his conviction if for a first offense or until ten years after the date of revocation following any subsequent conviction;” in line 828 to 837 and inserting in place thereof the following:-

provided, however, that no new license or right to operate shall be issued by the registrar to (i) any person convicted of a violation of subparagraph (1) and (2) of paragraph (a ½) until not less than 5 years nor more than 10 years following his conviction if for a first offense or until not less than 5 years nor more than 20 years following any subsequent conviction. The sentence imposed upon such person shall not be reduced until the full sentence is served and such person shall not receive probation, parole or furlough nor shall any prosecution commenced under subparagraph (1) or (2) be continued without a finding nor placed on file.